

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RIBAPHARM, INC.,

Plaintiff,

v.

THREE RIVERS PHARMACEUTICALS, LLC.,
a Pennsylvania Limited Liability Company,

Defendant.

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CIVIL ACTION NO.: 02-CV-3231

ORDER GRANTING ADMISSION PRO HAC VICE

AND NOW, this _____ day of August, 2002, upon consideration of Plaintiff Ribapharm, Inc.'s Uncontested Motion for Admission Pro Hac Vice of Robert D. Fish and S. Daniel Harbottle, it is ORDERED that Robert D. Fish, Esquire, and S. Daniel Harbottle, Esquire, are hereby admitted pro hac vice.

BY THE COURT:

J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RIBAPHARM, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO.: 02-CV-3231
	:	
THREE RIVERS PHARMACEUTICALS, LLC.,	:	
a Pennsylvania Limited Liability Company,	:	
	:	
Defendant.	:	

**PLAINTIFF RIBAPHARM, INC.'S UNCONTESTED MOTION
FOR ADMISSION PRO HAC VICE OF
ROBERT D. FISH AND S. DANIEL HARBOTTLE**

I, Francis P. Newell, one of the counsel for Ribapharm, Inc. (hereinafter "Ribapharm") in the above action, and being a member in good standing of the bar of this Court, hereby move the Court to admit pro hac vice Robert D. Fish, Esquire, and S. Daniel Harbottle, Esquire, of the California bar, and in support of said motion state that:

1. Robert D. Fish and S. Daniel Harbottle are members of the firm of Rutan & Tucker LLP with an address and telephone number as follows:

Rutan & Tucker LLP
611 Anton Blvd., Suite 1400
Costa Mesa, CA 92626
Tel: 714-641-5100
Fax: 714-546-9035

2. Mr. Fish is admitted to practice before the Supreme Court of California. See Certification of Robert D. Fish, attached hereto as Exhibit "A." Mr. Fish is also admitted to practice before the U.S. Central District of California, the U.S. Northern District of California, and the U.S. Southern District of California. See id.

3. Mr. Harbottle is admitted to practice before the Supreme Court of California. See Certification of S. Daniel Harbottle, attached hereto as Exhibit "B". Mr. Harbottle is also admitted to practice before the Ninth Circuit Court of Appeals, the U.S. Central District of California, the U.S. Northern District of California, and the U.S. Southern District of California. See Certification of S. Daniel Harbottle, attached hereto as Exhibit "B."

4. Mr. Fish and Mr. Harbottle are familiar with the law and facts pertinent to this case, and Ribapharm believes that its position would be furthered if they are permitted to participate fully and on the record in that position.

5. If admitted pro hac vice in this matter, Mr. Fish and Mr. Harbottle will abide by the Local Rules of Civil Procedure of the Eastern District of Pennsylvania. Pursuant to Local Rule 83.5.2(a), the undersigned will remain associate counsel of record.

WHEREFORE, counsel for Plaintiff Ribapharm hereby requests that this Court grant its Uncontested Motion for Admission Pro Hac Vice of Robert D. Fish, Esquire, and S. Daniel Harbottle, Esquire, in the above-captioned matter.

Leonard A. Busby (I.D. No. 28454)
Francis Patrick Newell (I.D. No. 22277)
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123 South Broad Street
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611 Anton Blvd., Suite 1400
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Attorneys for Plaintiff Ribapharm, Inc.

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Defendant.

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CIVIL ACTION NO.: 02-CV-3231

**CERTIFICATION OF ROBERT D. FISH IN SUPPORT OF
PLAINTIFF RIBAPHARM, INC.'S UNCONTESTED MOTION
FOR ADMISSION PRO HAC VICE OF ROBERT D. FISH**

I, Robert D. Fish, certify that the following information is true and correct:

1. I make this certification in support of an application that I be permitted to appear in the above-captioned civil action. This certification is based upon my personal knowledge.

2. I am an attorney at law in the State of California, and am a member at the firm of Rutan & Tucker LLP.

3. I am a member of the bar of the State of California.

4. I am admitted to practice before the U.S. Central District of California, the U.S. Northern District of California, and the U.S. Southern District of California.

5. I am and at all times have been a member in good standing in every jurisdiction in which I have been admitted to practice.

6. There are no disciplinary proceedings against me in any jurisdiction.

7. I am associated in this matter with Francis P. Newell who is an attorney-at-law of the Commonwealth of Pennsylvania and admitted to practice before this Court.

8. I am familiar with the law and facts pertinent to this case.

Robert D. Fish

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RIBAPHARM, INC.,	:	
	:	
Plaintiff,	:	
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v.	:	CIVIL ACTION NO.: 02-CV-3231
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THREE RIVERS PHARMACEUTICALS, LLC.,	:	
a Pennsylvania Limited Liability Company,	:	
	:	
Defendant.	:	

**CERTIFICATION OF S. DANIEL HARBOTTLE IN SUPPORT OF
PLAINTIFF RIBAPHARM, INC.'S UNCONTESTED MOTION
FOR ADMISSION PRO HAC VICE OF S. DANIEL HARBOTTLE**

I, S. Daniel Harbottle, certify that the following information is true and correct:

1. I make this certification in support of an application that I be permitted to appear in the above-captioned civil action. This certification is based upon my personal knowledge.
2. I am an attorney at law in the State of California, and am a member at the firm of Rutan & Tucker LLP.
3. I am a member of the bar of the State of California.
4. I am admitted to practice before the Ninth Circuit Court of Appeals, the U.S. Central District of California, the U.S. Northern District of California, and the U.S. Southern District of California.
5. I am and at all times have been a member in good standing in every jurisdiction in which I have been admitted to practice.
6. There are no disciplinary proceedings against me in any jurisdiction.

7. I am associated in this matter with Francis P. Newell who is an attorney-at-law of the Commonwealth of Pennsylvania and admitted to practice before this Court.

8. I am familiar with the law and facts pertinent to this case.

S. Daniel Harbottle

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CERTIFICATE OF COUNSEL PURSUANT TO LOCAL RULE 7.1(b)

The undersigned counsel for Plaintiff Ribapharm, Inc., hereby certifies, pursuant to Local Rule of Civil Procedure 7.1(b), that the attached Plaintiff Ribapharm, Inc.'s Uncontested Motion for Admission Pro Hac Vice of Robert D. Fish and S. Daniel Harbottle is uncontested.

Leonard A. Busby (I.D. No. 28454)
Francis Patrick Newell (I.D. No. 22277)
Montgomery, McCracken,
Walker & Rhoads, LLP
123 South Broad Street
Philadelphia, PA 19109-1099
Tel: (215) 772-1500
Fax: (215) 772-7620

Attorneys for Plaintiff Ribapharm, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of August, 2002, I caused to be served the foregoing Plaintiff Ribapharm, Inc.'s Uncontested Motion for Admission Pro Hac Vice of Robert D. Fish and S. Daniel Harbottle by United States First-Class Mail, postage prepaid, upon the following:

Thomas B. O'Brien, Jr.
Joseph B. Silverstein
Klett Rooney Lieber & Schorling
Two Logan Square, 12th Floor
Philadelphia, PA 19103

Steven A. Maddox
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Washington, D.C. 20005-3096

Michael J. Butler